



CONTRACT LAW DIVISION

Office of Assistant General Counsel for Finance and Litigation

Biweekly Report—Period Ending December 16, 2000



FSL Supercomputer

We participated in negotiations which resulted in an agreement as to how HPTi would perform the interim upgrade and the consideration that it would give the Government due to the fact that the chip proposed for the upgrade is not now, and will not be for the foreseeable future, available. (Mark Langstein)

Fisheries Research Vessel (FRV)

NOAA, under a Request For Proposals is procuring a new Fisheries Research Vessel (FRV) to support key National Marine Fisheries Service (NMFS) research. This multi-million dollar acquisition is for a 40-day endurance, acoustically quiet ship (including options for additional vessels) to augment the existing fleet. Written Discussion Questions were issued to each of the Offerors in the Competitive Range. The Offeror's written responses have been received and are being evaluated by the Technical Evaluation Panel. (Edward Weber)

US&FCS internet marketplace procurement:

A meeting was held with IBM program personnel and counsel for IBM on Thursday, Dec. 7 to resolve the differences regarding intellectual property rights and transition planning. It was very productive and attorneys from both sides were able to reach a mutually agreeable compromise on several key issues. Several proposed drafts were generated and reviewed by ITA counsel, and DoC's counsel on intellectual property rights, fiscal/FOIA, and government contracts until the final agreement was reached on December 14, just in time for the issuance of the BPA scheduled for December 15. (Amy Kigr Crotts)

Back-Bay Dispute

Edward Weber (OGC/CLD) and NOAA Counsel (GMartin) in Gloucester, MA have been negotiating with counsel and executive management of the Back Bay Hilton (Boston, MA) regarding the hotel's demand for payment of \$50k in unused block room reservations stemming from NOAA's hosting of its annual worldwide fisheries conference this past August. The hotel alleges that NOAA failed to meet its block reservation quota and further that because NOAA failed to release the unbooked portion of the block rooms, the hotel was unable to re-book or re-sell the unfilled rooms. As a result of discussions, the hotel has offered to settle its invoice demand for approximately \$13K. (Ed Weber)

CLD "Time to Complete"—1.6 Days

**Actions by Contract Law Division during Period
from 12/03/2000 12/16/2000**

Bureau	Received	Completed
NIST	2	2
NOAA	7	6
O/S	1	1
Totals	10	9

**Contract Law Division—Client Workload
Period Ending 12/16/2000**

